

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

MARK PICOZZI,

Plaintiff,

v.

STATE OF NEVADA, *et al.*

Defendants.

Case No. 2:22-cv-01011-ART-EJY

**ORDER**

Pending before the Court is Defendants' Motion for Leave to File Exhibits A-C to Defendants' Response to Plaintiff's Motion Pursuant to Order Dated April 26, 2024 under seal. ECF No. 228.

As the party seeking to seal a judicial record Defendants must meet their burden of overcoming the strong presumption in favor of access and public policies favoring disclosure. *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178–79 (9th Cir. 2006) (holding that those who seek to maintain the secrecy of documents attached to dispositive motions must meet the high threshold of showing that “compelling reasons” support secrecy). Importantly, medical privacy meets the compelling reason standard. *See, e.g., San Ramon Regional Med. Ctr., Inc. v. Principal Life Ins. Co.*, 2011 WL89931, at \*n. 1 (N.D. Cal. Jan. 10, 2011); *Abbey v. Hawaii Employers Mut. Ins. Co.*, 2010 WL4715793, at \*1-2 (D.HI. Nov. 15, 2010); *G. v. Hawaii*, 2010 WL 267483, at \*1-2 (D. Haw. June 25, 2010); *Wilkins v. Ahern*, 2010 WL3755654 (N.D. Cal. Sept. 24, 2010); *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1136 (9th Cir. 2003). The Court considered the Motion and the documents sought to be sealed, which are medical records. The Court therefore finds Exhibits A-C are properly sealed.

Accordingly, IT IS HEREBY ORDERED that Defendants' Motion for Leave to File Exhibits A-C to Defendants' Response to Plaintiff's Motion Pursuant to Order Dated April 26, 2024 under seal (ECF No. 228) is GRANTED.

1 IT IS FURTHER ORDERED that Exhibits A-C to ECF No. 229 are and shall remain sealed.

2 DATED this 9th day of May, 2024.

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5 ELAYNA J. YOUCHAK  
6 UNITED STATES MAGISTRATE JUDGE  
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